

FILED

November 20, 2024

CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS

By: RR
Deputy

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION**

Case No: SA:24-CR-00573-JKP

UNITED STATES OF AMERICA

Plaintiff

v

(1) FELIX RODRIGUEZ-VARGAS

(2) EDWIN PELAYO

Defendants.

INDICTMENT

**COUNT 1: 18 U.S.C. § 933(a)(2) and
933(a)(3) - Conspiracy to Traffick in
Firearms**

**COUNT 2: 18 U.S.C. 933(a)(2), 933(a)
(3), and 2 - Trafficking in Firearms**

THE GRAND JURY CHARGES:

COUNT ONE

[18 U.S.C. §§ 933(a)(2) and 933(a)(3)]

From on or about October 18, 2024, to October 28, 2024, in the Western District of Texas,
the defendants,

**(1) FELIX RODRIGUEZ-VARGAS,
(2) EDWIN PELAYO,**

and others, did conspire to receive at least one firearm, to wit: a Model M134 Minigun, from
another person in or otherwise affecting interstate or foreign commerce, knowing or having
reasonable cause to believe that such receipt would constitute a felony, to wit: possession of a
machinegun, in violation of Title 18, United States Code, Sections 933(a)(2) & 933(a)(3).

COUNT TWO
[18 U.S.C. § 933(a)(2), 933(a)(3), and 2]

From on or about October 18, 2024, to October 28, 2024, in the Western District of Texas,
the defendants,

(1) FELIX RODRIGUEZ-VARGAS,
(2) EDWIN PELAYO,

aided and abetted by each other and others, did attempt to receive at least one firearm, to wit: a Model M134 Minigun, from another person in or otherwise affecting interstate or foreign commerce, knowing or having reasonable cause to believe that such receipt would constitute a felony, to wit: possession of a machinegun, in violation of Title 18, United States Code, Sections 933(a)(2) 933(a)(3), and 2.

NOTICE OF UNITED STATES OF AMERICA'S DEMAND FOR FORFEITURE
[See Fed. R. Crim. P. 32.2]

I.

Firearm Violation and Forfeiture Statutes

[Title 18 U.S.C. § 933(a)(2) and (3) subject to forfeiture pursuant to Title 18 U.S.C. § 924(d)(1), made applicable to criminal forfeiture by Title 28 U.S.C. § 2461(c)]

As a result of the criminal violations set forth in Counts One and Two, the United States of America gives notice to the Defendants of its intent to seek the forfeiture of certain property upon conviction and pursuant to Fed. R. Crim. P. 32.2 and Title 18 U.S.C. § 924(d)(1), made applicable to criminal forfeiture by Title 28 U.S.C. § 2461(c), which states:

Title 18 U.S.C. § 924. Penalties

(d)(I) Any firearm or ammunition involved in or used in any knowing violation of . . . section 933 . . . shall be subject to seizure and forfeiture . . . under the provisions of this chapter. . . .

II.

Firearm Violation and Forfeiture Statutes

**[Title 18 U.S.C. § 933(a)(2) and (3) subject to forfeiture pursuant to
Title 18 U.S.C. § 934(a)(1)(A) and (B)]**

As a result of the criminal violations set forth in Counts One and Two, the United States

of America gives notice to the Defendants of its intent to seek the forfeiture of certain property upon conviction and pursuant to Fed. R. Crim. P. 32.2 and Title 18 U.S.C. § 934(a)(1)(A) and (B), which state:

Title 18 U.S.C. § 934. Forfeiture and Fines.

(a) Forfeiture. --

(1) In general. -- Any person convicted of a violation of section 932 or 933 shall forfeit to the United States, irrespective of any provision of State law--

(A) any property constituting, or derived from, any proceeds the person obtained, directly or indirectly, as the result of such violation; and


(B) any of the person's property used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of, such violation . . .

A TRUE BILL

FOREPERSON OF THE GRAND JURY

JAIME ESPARZA
UNITED STATES ATTORNEY

BY:



Zachary W. Parsons
Assistant U.S. Attorney